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EXAMINER

BHATTACHARYA, SAM

ART UNIT PAPER NUMBER

2688

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,206

Applicant(s)

DJELOGIRY, HOSSEIN

Examiner

Sam Bhattacharya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/19/05 has been entered.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --MOBILE TELECOMMUNICATIONS DEVICE FOR ACCESSING A SEARCH ENGINE ON AN INTERNET SERVER--.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 23-27 and 29-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Sakurai (US 6,600,930).

Regarding claim 23, Sakurai discloses a mobile telecommunications device 1 including a keypad 102 for receiving data from a user, a transceiver 112/113 for sending and receiving signals via a wireless telecommunications network and a controller 121, the controller operable

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to execute a browser application (www browser function), to receive a search term for a search engine (inputting text using type function), to receive information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search (a phone number of the destination is a search term), the controller being operable, thereafter, to establish a connection with a server associated with the search engine via the wireless communications network (sending a request for connection to the common server), to transmit said search term to the server and to receive search engine results based on said search term from the server (sending information in a presentable information list). See FIGS. 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Regarding claims 24 and 25, Sakurai discloses a display 105 and the controller being further operable to present a list of predefined links on said display and to receive a command selecting one or more predefined links from said list of predefined links. See col. 22, line 64 to col. 23, line 7.

Regarding claim 26, Sakurai discloses that the controller is operable to receive information identifying a plurality of search engines to carry out a search using said search term, and, thereafter, for each respective search engine, operable to establish a connection with a server associated with the search engine, to transmit said search term to the server and to receive search engine results based on said search term from the server. See col. 19, line 60 – col. 20, line 6.

Regarding claim 27, Sakurai discloses a display 105 and the controller being further operable to present search results on the display, the search results including at least one link for accessing a web page. See col. 19, lines 45-55.

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Regarding claim 29, discloses a device which is a mobile telephone handset. See FIG. 4A.

Regarding claim 30, Sakurai discloses a device which is a PDA. See col. 15, lines 13-14.

Regarding claim 31, Sakurai discloses a system including a server 2 associated with a search engine, a wireless telecommunications system, and a mobile telecommunications device 1 including a keypad for receiving data from a user, a transceiver 112/113 for sending and receiving signals through the wireless telecommunications network and a controller 121, the controller operable to execute a browser application (www browser function), to receive an instruction to prepare a search (inputting text using type function), to receive a search term for a search engine, to receive information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search (a phone number of the destination is a search term), the controller thereafter being operable to establish a connection with the server associated with the search engine through the wireless communications network (sending a request for connection to the common server), to transmit said search term to the server and to receive search engine results based on said search term from the server (sending information in a presentable information list). See FIGS. 1, 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Regarding claim 32, disclose that the search engine software is run on said server. See col. 23, lines 45-49.

Regarding claim 33, discloses a method, in a mobile telecommunications device 1 including a keypad 102 for receiving data from a user, a transceiver 112/113 for sending and receiving signals through a wireless telecommunications network and a controller 121, the

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method including (a) executing a browser application, (b) receiving a search term for a search engine, (c) receiving information identifying a search engine to carry out a search using said search term; (d) receiving an instruction to carry out a search; (e) establishing a connection with a server associated with the search engine through the wireless communications network; (f) transmitting said search term to the server; and (g) receiving search engine results based on said search term from the server, wherein steps (e) to (g) are performed after steps (a) to (d). See FIGS. 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakurai in view of Vandermeijden (US Patent Application Publication 2004/0067751 A1).

Regarding claim 28, the Sakurai reference discloses a device according to claim 1. However, it does not expressly disclose the device is WAP-enabled. The Vandermeijden reference teaches the device is WAP-enabled (“to access web pages on the Internet, network servers and network personal computers (PCs) normally use standard web protocols and mark-up languages, such as hypertext transport protocol (HTTP) and hypertext markup language (HTML), respectively. Mobile devices, on the other hand, generally use wireless protocols such as wireless access protocol (WAP) or handheld device transport protocol (HDTP) and wireless markup languages such as wireless markup language (WML) and handheld device markup language (HDML) to accomplish similar tasks” (page 3, col. 1, paragraph [0029]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai wherein the device is WAP-enabled, as taught by Vandermeijden, in order to access web pages on the Internet with a mobile device.

Response to Arguments

7. Applicant's arguments filed 9/19/05 have been fully considered but they are not persuasive.

Applicant alleges that the claimed invention provides an improvement over the prior art by providing for execution of a browser application, including an instruction to receive a search term and to receive information identifying a search engine to carry out a search using the search term and to receive an instruction to carry out the search before the connection is made.

Applicant also argues that there is no basis why a person of ordinary skill in the art would be led to modify the teachings of Sakurai to arrive at the subject matter of claims 23, 31 and 33 except by impermissible hindsight.

Examiner respectfully disagrees. Sakurai discloses execution of a browser application via a www browser function, identifies the search engine through the mail server 22 of the common server 2 to carry out a search using a search term inputted by a user, and the instruction to carry out the search is received before the connection is made. Applicant points to step S1 of FIG. 6 in Sakurai as teaching that the connection to the server is established first before entering a search command. However, FIG. 6 does not show the relative sequence of steps between the search and the connection to the server. Rather, this is shown in FIG. 9, in which the search

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information is inputted in steps S1 to S4, whereas the connection to the server is requested in step S6, clearly after the search information is inputted. Moreover, it is not necessary to modify the teachings of Sakurai to arrive at the subject matter of the present invention as recited in claims 23, 31 and 33. As discussed in the rejections above, Sakurai anticipates the limitations of these claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanefsky (US Patent Application Publication 2002/0032750 A1) discloses a system and method for searching information from an Internet-connected cellular phone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917.


The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sb


GEORGE ENG
PRIMARY EXAMINER